

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Joe Balyeat, on January 19, 2011 at 9:00 A.M., in Room 422 Capitol

#### **ROLL CALL**

**Members Present:** Sen. Joe Balyeat, Chairman (R)  
Sen. Verdell Jackson, Vice Chairman (R)  
Sen. Tom Facey (D)  
Sen. Frederick "Eric" Moore (R)  
Sen. Donald J. Steinbeisser (R)  
Sen. Mitch Tropila (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Jeff Essmann (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Bruce Tutvedt (R)  
Sen. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

#### **Committee Business Summary:**

Hearing & Date Posted: SB 130, 1/7/2011, SB 46, 1/12/2011

Executive Action: SB 46, Do Pass; SB 101 and SB 158, Discussion only;  
SB 102 Tabled; SB 159 Do Pass As Amended

**HEARING ON SB 130**

**Opening Statement by Sponsor:**

00:01:24 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 130, Unemployment benefits for certain school employees between terms.

**Proponents' Testimony:**

00:08:37 Marco Ferro, Montana Education Association-Montana Federation of Teachers (MEA-MFT)  
00:11:52 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI), appearing on behalf of Superintendent Denise Juneau  
00:13:06 Tom Schneider, Montana Public Employees Association (MPEA)  
00:14:21 Mark Anderlick, Executive Officer, Butte Teachers Union Local # 427

**Opponents' Testimony:**

00:15:17 Bob Vogel, Montana School Boards Association (MTSBA), Montana Students Unemployment Insurance Program (MSUIP)

**Informational Testimony:**

00:20:08 Roy Mulvaney, Administrator, Unemployment Insurance Program, Department of Labor and Industry (DOLI)

**Questions from Committee Members and Responses:**

00:20:40 Sen. Jackson  
00:21:21 Bob Vogel, MTSBA, defer question  
00:22:03 Sen. Jackson, without objection  
00:23:09 Roy Mulvaney, DOLI  
00:23:45 Chairman Balyeat  
00:25:09 Mr. Mulvaney  
00:25:34 Sen. Tropila  
00:25:54 Marco Ferro, MEA-MFT  
00:26:19 Sen. Tropila  
00:26:42 Sen. Wanzenried  
00:28:08 Sen. Facey  
00:30:06 Mr. Mulvaney  
00:30:38 Sen. Facey  
00:31:22 Mr. Vogel  
00:32:15 Chairman Balyeat

**Closing by Sponsor:**

00:32:58 Sen. Wanzenried  
00:35:45 Chairman Balyeat

**HEARING ON SB 46**

**Opening Statement by Sponsor:**

00:37:19 Sen. Mitch Tropila (D), SD 12, opened the hearing on SB 46, Clarify extradition payments.

**Proponents' Testimony:**

00:39:09 Carol Smith, Governor's office

**Opponents' Testimony:** None

**Informational Testimony:**

00:40:28 Pearl Allen, Legislative Audit Division (LAD)

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:41:20 Sen. Tropila

00:41:39 Chairman Balyeat

**EXECUTIVE ACTION ON SB 46**

00:41:40 **Motion/Vote:** Sen. Facey moved that **SB 46 DO PASS**. Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt, Stewart-Peregoy, and Sen. Windy Boy voted by proxy.

00:42:32 Chairman Balyeat

**EXECUTIVE ACTION ON SB 101**

00:42:51 Chairman Balyeat

**EXHIBIT(bus14a01)**

00:44:09 Sen. Jackson

**EXHIBIT(bus14a02)**

00:47:18 Chairman Balyeat, defer without objection

00:47:25 Mary McCue, Montana Dental Association

00:50:48 Chairman Balyeat

00:51:19 Ms. McCue

00:52:04 Chairman Balyeat

00:53:38 Mary McCue

00:54:05 Sen. Jackson

00:54:15 Chairman Balyeat, defer without objection

00:54:18 Dennis Lopach, Denturist Association of Montana

00:56:06 Sen. Jackson

00:56:34 Mr. Lopach  
00:57:51 Chairman Balyeat  
00:58:00 Sen. Moore  
00:59:04 Chairman Balyeat

Note: Further discussion on SB 101 will take place at another time

00:59:39 Chairman Balyeat  
00:59:47 Sen. Facey

**EXECUTIVE ACTION ON SB 158**

01:00:18 **Motion:** Sen. Facey moved that **SB 158 DO PASS.**

**Discussion:**

01:00:52 Sen. Facey

01:02:40 **Motion/Vote:** Sen. Facey moved that **SB 158 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

**EXHIBIT(bus14a03)**

01:03:50 **Motion:** Sen. Facey moved that **SB 158 DO PASS AS AMENDED.**

**Discussion:**

01:04:17 Sen. Facey  
01:06:54 Sen. Moore  
01:07:12 Sen. Facey  
01:07:37 Sen. Jackson  
01:12:12 Chairman Balyeat  
01:15:46 Sen. Facey  
01:18:07 Sen. Steinbeisser  
01:18:20 Sen. Facey  
01:21:48 Chairman Balyeat  
01:22:00 Sen. Moore  
01:23:07 Chairman Balyeat  
01:23:12 Sen. Vuckovich  
01:23:55 Sen. Facey  
01:24:19 Pat Murdo, Legislative Services Division (LSD)  
01:24:45 Sen. Facey  
01:25:12 Sen. Tropila  
01:25:53 Sen. Facey  
01:27:00 Sen. Tropila  
01:27:04 Sen. Facey withdrew his motion on SB 158

Note: Further discussion on SB 158 will take place at another time

01:27:19 Chairman Balyeat

01:27:25 Sen. Vuckovich

**EXECUTIVE ACTION ON SB 102**

01:27:41 **Motion:** Sen. Vuckovich moved that **SB 102 DO PASS.**

01:27:56 **Motion:** Sen. Vuckovich moved that **SB 102 BE AMENDED.**

**Discussion:**

01:28:29 Chairman Balyeat

01:28:35 Sen. Stewart-Peregoy arrived

01:29:18 **Vote:** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:29:33 **Motion:** Sen. Vuckovich moved that **SB 102 DO PASS AS AMENDED.**

**Discussion:**

01:29:55 Sen. Vuckovich

01:31:38 Sen. Moore

01:32:05 Sen. Vuckovich

01:32:09 Ms. Murdo

01:32:24 Chairman Balyeat

01:36:12 Sen. Vuckovich

01:37:49 Chairman Balyeat

01:38:07 Sen. Vuckovich

01:38:23 Ms. Murdo

01:39:00 Chairman Balyeat

01:39:10 **Vote:** Motion failed 5-6 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting aye. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:39:18 **Motion/Vote:** Without objection, Sen. Balyeat moved to **REVERSE THE VOTE AND TABLE THE BILL.**

01:41:31 Chairman Balyeat

**EXECUTIVE ACTION ON SB 159**

01:41:43 Chairman Balyeat

01:42:11 **Motion:** Sen. Moore moved that **SB 159 DO PASS.**

01:42:20 **Motion:** Sen. Balyeat moved that **SB 159 BE AMENDED.**

**EXHIBIT**(bus14a04)

01:42:51 Ms. Murdo

01:44:01 **Vote:** Motion carried unanimously by voice vote. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:44:15 **Motion:** Sen. Moore moved that **SB 159 DO PASS AS AMENDED.**

**Discussion:**

01:44:32 Sen. Tropila

01:46:27 Sen. Stewart-Peregoy

01:48:09 Chairman Balyeat

01:51:09 Sen. Jackson

01:52:48 Sen Tropila

01:53:57 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Essmann, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:54:34 Chairman Balyeat

**ADJOURNMENT**

Adjournment: 10:56 A.M.

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT**([bus14aad.pdf](#))